

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS

FILED
CLERK OF COURT

NOV 15 2005

ELAINE CHAO, Secretary of Labor, *
United States Department of Labor, *

Plaintiff, *

v. *

CIVIL ACTION

FILE NO. 04-11982-RCL

MODERN CONTINENTAL *
CONSTRUCTION CO., *

Defendant. *

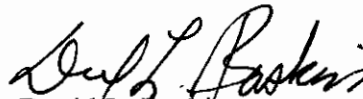
STIPULATION OF DISMISSAL

The Plaintiff dismisses this case, with prejudice. Each party has agreed to bear its own costs and fees.

Post Office Address:
U.S. Department of Labor
Office of the Solicitor
JFK Federal Building
Room E-375
Boston, MA 02203
Regional Solicitor
TEL: (617)565-2500
FAX: (617)565-2142

Howard Radzely
Solicitor of Labor

Frank V. McDermott, Jr.
Regional Solicitor


David L. Baskin

CERTIFICATE OF SERVICE

I, _____ hereby do certify that I served the foregoing STIPULATION OF
DISMISSAL on 10 November, 2005 by placing one (1) copy in a postage-paid
envelope addressed to:

Stephen T. Paterniti, Esq.
Jackson Lewis LLP
75 Park Plaza
Boston, Massachusetts 02116

the last known address and depositing same in the United States mail at Boston, Massachusetts.

A handwritten signature in black ink, appearing to read "Stephen T. Paterniti", is written over a horizontal line. The signature is stylized with a large, looping initial "S".